

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

KYLE KAWAMOTO,)	
)	
Claimant,)	IC 04-522969
)	
v.)	
)	
INTERMOUNTAIN BUILDING)	
PANELS LLC.,)	ORDER
)	
Employer,)	
)	Filed
)	November 10, 2005
LIBERTY NORTHWEST INSURANCE)	
CORPORATION,)	
)	
Surety,)	
)	
Defendants.)	
)	

Pursuant to Idaho Code § 72-717, Referee Alan Taylor submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED That:

1. Claimant is entitled to temporary total or temporary partial disability benefits from December 3, 2004, until Claimant is released to full duty work, or Employer makes a reasonable offer of employment that Claimant is capable of performing under his work release and which employment is likely to continue through his period of recovery, or Claimant finds suitable comparable employment.

2. Defendants are entitled to reduce their obligation by the amount Claimant actually earned from his attempts at other employment between December 3, 2004, and the date of hearing.

Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this 10th day of November, 2005.

INDUSTRIAL COMMISSION

/s/
Thomas E. Limbaugh, Chairman

/s/
James F. Kile, Commissioner

/s/
R. D. Maynard, Commissioner

ATTEST:

/s/
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of November, 2005, a true and correct copy of the foregoing **Order** was served by regular United States Mail upon each of the following persons:

JAMES C ARNOLD
PO BOX 1645
IDAHO FALLS ID 83403-1645

E SCOTT HARMON
PO BOX 6358
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kr

/s/